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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 GONZALO AGUILAR DOBLADO ET AL,
14 Defendant.

Case No. 2:19-cr-00242-RFB-EJY

**STIPULATION TO CONTINUE
MOTION DEADLINES AND TRIAL
DATES**
(Second Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
17 Trutanich, United States Attorney, and Rachel Kent, Assistant United States Attorney, counsel
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Paul
19 D. Riddle, Assistant Federal Public Defender, counsel for Gonzalo Aguilar Doblado, and
20 Richard A. Shconfeld, counsel for Bobby Khalili, that the calendar call currently scheduled for
21 August 4, 2020, and the trial scheduled for August 10, 2020, be vacated and set to a date and
22 time convenient to this Court, but no sooner than ninety (90) days.

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to
24 and including September 9, 2020, to file any and all pretrial motions and notices of defense.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
26 shall have to and including September 23, 2020, to file any and all responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including September 30, 2020, to file any and all replies to dispositive motions.

3 The Stipulation is entered into for the following reasons:

4 1. On April 9, 2020, the Chief Judge of the U.S. District Court for the District of
5 Nevada issued Temporary General order 2020-04 (the “General Order”). The Order explains
6 that, due to the outbreak of the coronavirus 2019 (“COVID-2019”) in the District of Nevada,
7 the General Order was amended for all civil and criminal trials to be scheduled on a case by
8 case basis. Pending further order of the Court and found that “the ends of justice are best served
9 by ordering continuances, which outweighs the best interests of the public and any defendant’s
10 right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

11 2. Continuing this deadline trial will serve the critical interests emphasized in the
12 General Order. Given the grave public-health concerns discussed in the General Order, in
13 addition to difficulty—or impossibility—of securing a jury pool that would represent a fair
14 cross section of the community at this time, the ends of justice served by the requested
15 continuance in this case outweigh the best interests of the public and defendant in a speedy trial.
16 The additional time requested by this Motion is excludable in computing the time within which
17 the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A)

18 3. The parties agree to the continuance.

19 4. The additional time requested herein is not sought for purposes of delay, but
20 merely to allow counsel for defendant sufficient time within which to be able to effectively and
21 complete investigation of the discovery materials provided.

1 5. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice. The additional time requested by this Stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
4 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
5 Section 3161(h)(7)(B)(i), (iv).

6 This is the second stipulation to continue filed herein.

7 DATED this 31st day of July, 2020.

8 RENE L. VALLADARES
9 Federal Public Defender

8 NICHOLAS A. TRUTANICH
9 United States Attorney

10 By /s/ Paul D. Riddle

10 By /s/ Rachel Kent

11 PAUL D. RIDDLE
11 Assistant Federal Public Defender

11 RACHEL KENT
11 Assistant United States Attorney

13 By /s/ Richard A Schonfeld

14 RICHARD A SCHONFELD
14 Counsel for Bobby Khalili

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

GONZALO AGUILAR DOBLADO ET AL,

Defendant.

Case No. 2:19-cr-00242-RFB-EJY

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On April 9, 2020, the Chief Judge of the U.S. District Court for the District of Nevada issued Temporary General order 2020-04 (the “General Order”). The Order explains that, due to the outbreak of the coronavirus 2019 (“COVID-2019”) in the District of Nevada, the General Order was amended for all civil and criminal trials to be scheduled on a case by case basis. Pending further order of the Court and found that “the ends of justice are best served by ordering continuances, which outweighs the best interests of the public and any defendant’s right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

2. Continuing this deadline trial will serve the critical interests emphasized in the General Order. Given the grave public-health concerns discussed in the General Order, in addition to difficulty—or impossibility—of securing a jury pool that would represent a fair cross section of the community at this time, the ends of justice served by the requested continuance in this case outweigh the best interests of the public and defendant in a speedy trial.

1 The additional time requested by this Motion is excludable in computing the time within which
2 the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A)

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but
5 merely to allow counsel for defendant sufficient time within which to be able to effectively and
6 complete investigation of the discovery materials provided.

7. Additionally, denial of this request for continuance could result in a miscarriage
8 of justice. The additional time requested by this Stipulation is excludable in computing the time
9 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
10 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
11 Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

14 The ends of justice served by granting said continuance outweigh the best interest of the
15 public and the defendant in a speedy trial, since the failure to grant said continuance would be
16 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
17 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
18 account the exercise of due diligence.

19 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
20 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
21 United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

23 IT IS THEREFORE ORDERED that the parties herein shall have to and including
24 September 9, 2020 to file any and all pretrial motions and notice of defense.

25 IT IS FURTHER ORDERED that the parties shall have to and including September 23,
26 2020 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including September 30, 2020 to file any and all replies.

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the 6th day of November, 2020, by the hour of 4:00 p.m.

IT IS FURTHER ORDERED that the calendar call currently scheduled for August 4, 2020, at the hour of 1:30 p.m., be vacated and continued to November 10, 2020 at the hour of 1:30 p.m.; and the trial currently scheduled for August 10, 2020, at the hour of 9:00 a.m., be vacated and continued to November 16, 2020 at the hour of 9:00 a.m.

DATED this 31st day of July, 2020.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE